

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSCASE NO. CA05-11682L&T Yacht Sales, Inc.
PLAINTIFFJohn Zajac

_____COUNSEL FOR PLAINTIFFPost Marine Co. Inc.,
DEFENDANTMichael Weisz

_____Howard Brown

_____COUNSEL FOR DEFENDANTJUDGE WolfCLERK O'LearyREPORTER RomanowCLERK'S NOTES

DATES:	Pretrial Conference
2/12/08	Court goes over the current posture of the case with the parties. Court reminds the parties that the case is
	scheduled to go to trial on 2/19/08 at 9:00 am. Court listens to oral arguments from the parties on the
	defendant's supplemental motion for summary judgment (docket no. 54). Court denies the motion as both
	untimely and un-meritorious. Court listens to oral arguments on the defendant's motion to exclude and for
	sanctions (docket no. 23) and its supplemental motion to exclude and for sanctions (docket no. 53). Court
	will permit the witness Catoro (sic) to testify only factual testimony but cannot offer expert testimony.
	Court orders the plaintiff to have the witness Suel here on Tuesday for a possible voir dire. Court excludes the
	testimony of all other witnesses contested by the defendant. Court excludes testimony of Hamilton regarding
	loss of use of the boat as evidence of damages. Court for now excludes the photos of the boat subject to a
	voir dire hearing of the plaintiff and both counsel. Court turns to the testimony of Hamilton. Court holds
	that Hamilton cannot testify beyond what he testified to as to damages at his deposition. Parties estimate
	the trial will last 3-4 days. Court orders plaintiff to file proposed jury instructions with citations by close
	of business on 2/14/2008. Court orders the parties to confer and furnish a complete set of exhibit,
	stipulations by c.o.b. on 2/14/08. Court gives the parties 20 minutes for their opening statements. Court
	issues a sequestration order. Parties to report as to settlement by c.o.b. on 2/14/2008 as well. If the case
	settles on Tuesday then the court will impose sanctions. Deputy Clerk to provide contact number for the
	court should the case settle over the weekend.